

## **MINUTES**

**CITY OF IMPERIAL BEACH  
CITY COUNCIL  
PLANNING COMMISSION  
PUBLIC FINANCING AUTHORITY  
HOUSING AUTHORITY  
IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY**

**OCTOBER 19, 2016**

**Council Chambers  
825 Imperial Beach Boulevard  
Imperial Beach, CA 91932**

**REGULAR MEETING - 6:00 P.M.**

### **REGULAR MEETING CALL TO ORDER**

Mayor Pro Tem Spriggs called the Regular Meeting to order at 6:00 p.m.

### **ROLL CALL**

Councilmembers present: Bilbray (arrived at 6:07), Patton, Bragg  
Councilmembers absent: None  
Mayor Absent: Dedina  
Mayor Pro Tem Present: Spriggs  
Staff Present: City Manager Hall, City Attorney Lyon, Deputy City Clerk Carballo,  
Public Works Director Levien, Assistant Public Works Director  
Helmer, Assistant City Manager Dush, Fire Chief French

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Valeria Urtiz from Godfrey G. Berry Elementary School.

### **AGENDA CHANGES**

**MOTION BY BRAGG, SECOND BY PATTON, TO TAKE ITEM NO. 5.2 BEFORE ITEM NO. 4.1 AND TAKE ITEM NO. 2.7 OFF THE CONSENT CALENDAR FOR DISCUSSION AT THE END OF THE AGENDA. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: PATTON, BRAGG, SPRIGGS  
NOES: COUNCILMEMBERS: NONE  
ABSENT: COUNCILMEMBERS: BILBRAY, DEDINA**

### **MAYOR/COUNCIL REIMBURSEMENT DISCLOSURE/COMMUNITY ANNOUNCEMENTS/REPORTS ON ASSIGNMENTS AND COMMITTEES**

Councilmember Patton reported on his participation at the Community Conversation and announced the next meeting is on November 1<sup>st</sup> at 6:00 p.m. in the Community Room. He reported on his attendance at the South County Economic Development Council's (SCEDC) Elected Official's Reception, Autofest 2016, the Teacher's Community Awards, announced Military Appreciation Day on November 12<sup>th</sup> at Dunes Park and the Haunted Barn on October 21<sup>st</sup> and 22<sup>nd</sup> - entry cost will be 1 can of food benefitting the San Diego Food Bank.

Councilmember Bragg reported on her attendance at the Transportation Committee meeting stating MTS now has a new ADA eligibility certification provider and spoke about the resulting changes. She read a letter from Cindy Gomper Graves, CEO of SCEDC, expressing gratitude for a job well done at the Elected Official's Reception and commenting on the positive changes in Imperial Beach. She reported on her attendance at Autofest 2016, the Fire Department Open House, the Imperial Beach Historical Society Open House, announced the Chamber of Commerce breakfast featuring Gary Gallegos, CEO of SANDAG on October 27<sup>th</sup> and the Imperial Beach Chills and Thrills event on October 29<sup>th</sup>.

Mayor Pro Tem Spriggs reported on his attendance at the League of California Cities Annual Conference, along with City Manager Hall and stated he could provide additional information for staff or anyone in the community interested in helping with internships for youth. He commented on his appointment as Vice Chair of the League's Policy Committee on Housing, Community

and Economic Development which focuses on land use planning.

### **COMMUNICATIONS FROM CITY STAFF**

Fire Chief French reported on the success and growth of the Fire Department Open House detailing the various demonstrations, informational booths and activities. He announced the Great California Shake Out October 20<sup>th</sup> at 10:20 a.m.

### **PUBLIC COMMENT**

None.

### **PRESENTATIONS (1.1)**

#### **1.1 SR-75 INTERSECTION AND TRAFFIC MANAGEMENT PLAN UPDATE BY CAPTAIN SCOTT MULVEHILL, NAVAL BASE CORONADO EXECUTIVE OFFICER. (0620-80)**

Captain Mulvehill, Naval Base Coronado Executive Officer, gave a PowerPoint presentation regarding updates on the SR-75 intersection and Traffic Management Plan and commented on the high volume of traffic on the Strand the last 2 weeks and what's being done to alleviate that issue.

In response to Councilmember Bragg's question, Captain Mulvehill stated the Traffic Management Plan is a document that will be adjusted if needed, the document helps determine issues that need to be addressed and Representative Scott Peters has not asked to see the document but he will be shown the different areas in question.

In response to Mayor ProTem Spriggs' question, regarding the northbound treatment of the left turn, Captain Mulvehill stated they have two options. The first is a dedicated left turn lane with unimpeded right lanes. However that poses a problem with getting pedestrians and bikers across and installing a potential bus stop across the road. The second is to install a stop light, which obstruct free flowing traffic but will accommodate the aforementioned issues. A final decision has not yet been made.

### **CONSENT CALENDAR (2.1-2.6 and 2.8)**

**MOTION BY BILBRAY, SECOND BY BRAGG, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THROUGH 2.6 and 2.8. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: PATTON, BRAGG, SPRIGGS, BILBRAY**  
**NOES: COUNCILMEMBERS: NONE**  
**ABSENT: COUNCILMEMBERS: DEDINA**

#### **2.1 MINUTES.**

City Council approved the Regular Meeting Minutes of September 21, 2016 and the Special Meeting Minutes of September 22, 2016.

#### **2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)**

City Council ratified the warrant register.

#### **2.3 RECEIVE AUGUST 2016 TREASURER'S REPORT. (0300-90)**

City Council received the monthly Treasurer's report.

#### **2.4 RESOLUTION NO. 2016-7740 TO AWARD PROFESSIONAL SERVICE CONTRACT TO NASLAND ENGINEERING TO PREPARE 30% CONSTRUCTION DRAWINGS FOR PEDESTRIAN LIGHTING ALONG SECTIONS OF PALM AVENUE AND SEACOAST DRIVE. (0720-60)**

City Council adopted the resolution.

**2.5 CONSIDERATION OF ADOPTION OF RESOLUTION NO. 2016-7739; AMENDING THE COUNCILMEMBER TRAVEL POLICY, AND PROVIDING AN EFFECTIVE DATE. (0410-95)**

City Council adopted the resolution.

**2.6 RESOLUTION NO. 2016-7744 APPROPRIATING \$100,000 FROM THE GENERAL FUND PUBLIC WORKS RESERVE ACCOUNT TO THE VEHICLE WASH PIT CONSTRUCTION CIP NO. F15-101. (0910-30)**

City Council adopted the resolution.

**2.8 CITY COUNCILMEMBER REQUEST TO DISCUSS POLICY ITEMS AT A FUTURE REGULAR MEETING OF THE IMPERIAL BEACH CITY COUNCIL. (0410-14)**

City Council reviewed the items identified by Councilmember Bilbray and determined that the items should be placed on a future agenda of the City Council.

**ORDINANCES – INTRODUCTION/FIRST READING (3.1-3.2)**

**3.1 AN INTRODUCTION OF ORDINANCE NO. 2016-1158, AMENDING CHAPTER 8.30 OF THE CITY OF IMPERIAL BEACH MUNICIPAL CODE PERTAINING TO URBAN RUNOFF MANAGEMENT AND DISCHARGE CONTROL; REPEALING CHAPTER 8.31 PERTAINING TO STORM WATER/URBAN RUNOFF POLLUTION REDUCTION CHARGE; REPEALING CHAPTER 8.32 PERTAINING TO THE STANDARD URBAN STORMWATER MITIGATION PLAN; AMENDING CHAPTER 15.54, PERTAINING TO GRADING PERMITS AND PLANS; AND AMENDING SECTIONS 16.12.090(A)(4), 18.84.050, AND 19.25.060(G)(1)(a). (0770-65)**

Assistant Public Works Director Helmer reported on the item.

In response to Councilmember Patton's question, Assistant Public Works Director Helmer stated new developers were not happy at first, however, they were informed 5 years in advance and although it adds costs to projects, it also provides better aesthetics and makes projects more environmentally sound. All new projects will include some type of stormwater element.

Councilmember Bragg commented this was all initiated during former Mayor Diane Rose's and former Councilmember Mayda Winter's tenure. She stated Imperial Beach is setting the tone for the rest of the coastline, it is well worth the cost and commended Assistant Public Works Director Helmer's expertise on these issues.

In response to Mayor ProTem Spriggs' question, Assistant Public Works Director Helmer stated as long as plans are made following the stormwater regulation, current and future projects will be fine. The problems are found in past projects.

Deputy City Clerk Carballo read the title of Ordinance No. 2016-1158 "An Ordinance of the City Council of the City of Imperial Beach, California, amending Chapter 8.30 of the City of Imperial Beach Municipal Code pertaining to urban runoff management and discharge control; repealing Chapter 8.31 pertaining to stormwater/urban runoff pollution reduction charge; repealing Chapter 8.32 pertaining to the standard urban stormwater mitigation plan; amending Chapter 15.54, pertaining to grading permits and plans; and amending Sections 16.12.090(A)(4), 18.84.050, and 19.25.060(G)(1)(a)".

**MOTION BY BILBRAY, SECOND BY PATTON, TO INTRODUCE ORDINANCE NO. 2016-1158 BY TITLE ONLY, WAIVE FURTHER READING IN FULL, AND SET THE MATTER FOR A SECOND READING AND ADOPTION AT THE NEXT REGULAR CITY COUNCIL MEETING OF NOVEMBER 2, 2016. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES:** COUNCILMEMBERS: PATTON, BRAGG, SPRIGGS, BILBRAY  
**NOES:** COUNCILMEMBERS: NONE  
**ABSENT:** COUNCILMEMBERS: DEDINA

**3.2 ORDINANCE NO. 2016-1157, INTRODUCTION AND FIRST READING: ORDINANCE AMENDING SECTIONS OF CHAPTERS 15.02, 15.04, 15.06, 15.14, 15.16, 15.18, 15.20, 15.28, 15.32, AND 15.34, AND 15.38 OF THE IMPERIAL BEACH MUNICIPAL CODE, BY ADOPTING THE 2016 CALIFORNIA ADMINISTRATIVE CODE, RESIDENTIAL CODE, BUILDING CODE, HISTORIC BUILDING CODE, ELECTRIC CODE, EXISTING BUILDING CODE, FIRE CODE, MECHANICAL CODE, PLUMBING CODE, REFERENCED STANDARDS CODE, AND GREEN BUILDING CODE, RESPECTIVELY. (0250-95 & 0710-95)**

Assistant City Manager Dush reported on the item.

Deputy City Clerk Carballo read the title of Ordinance No. 2016-1157 "An Ordinance of the City Council of the City of Imperial Beach, California, amending sections of Chapters 15.02, 15.04, 15.06, 15.14, 15.16, 15.18, 15.20, 15.28, 15.32, 15.34, and 15.38 of the Imperial Beach Municipal Code, by adopting the 2016 California Administrative Code, Residential Code, Building Code, Historic Building Code, Electric Code, Existing Building Code, Fire Code, Mechanical Code, Plumbing Code, Reference Standards Code, and Green Building Code, respectively."

**MOTION BY BILBRAY, SECOND BY BRAGG, TO INTRODUCE ORDINANCE NO. 2016-1157 BY TITTLE ONLY, WAIVE FURTHER READING IN FULL, AND SET THE MATTER FOR A PUBLIC HEARING, SECOND READING AND ADOPTION AT THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 16, 2016. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES:** COUNCILMEMBERS: BILBRAY, PATTON, BRAGG, SPRIGGS  
**NOES:** COUNCILMEMBERS: NONE  
**ABSENT:** COUNCILMEMBERS: DEDINA

**5.2 PAVEMENT MANAGEMENT ANALYSIS REPORT DATED AUGUST 2016. (0720-90)**

Public Works Director Levien gave a PowerPoint presentation on current pavement conditions. He commented the City needs to invest \$1.2 million per year to keep the streets in working condition. The City has invested that amount through grants and the regional transportation program.

Councilmember Bragg stated good roads are a basic need to the community and the City needs to continue the preservation of the roads as well as enhance bus stops. Some cities are incorporating concrete pads at bus stops for longevity. She suggested working with apartment complex owners to encourage tenants to utilize on-site parking rather than the street.

Public Works Director Levien stated the City was trying to maintain the aesthetic look of the bus stops and incorporated an asphalt pad that was thickened to the equivalent of concrete.

Councilmember Bragg suggested having an engineer look at the two options and advise which would last longer as well as doing a cost comparison.

In response to Councilmember Patton's questions, Public Works Director Levien stated the current focus is on Elm Ave., then the City will continue with the lowest scoring streets and work their way up depending on available funds. The City has met with the utility companies to coordinate work so streets don't get torn up and then patched, and the City does have a standard trench repair design.

Mayor ProTem Spriggs commended Public Works Director Levien for doing a great job in keeping City streets in such good condition.

**MOTION BY BILBRAY, SECOND BY PATTON, TO ACCEPT THE REPORT FOR USE BY CITY STAFF TO PROPOSE BIENNIAL CITY STREET'S CAPITAL IMPROVEMENT PROGRAM (CIP) PROJECTS. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: BILBRAY, PATTON, BRAGG, SPRIGGS**  
**NOES: COUNCILMEMBERS: NONE**  
**ABSENT: COUNCILMEMBERS: DEDINA**

**PUBLIC HEARINGS (4.1)**

**4.1 RESOLUTION NO. 2016-7743 AMENDS THE REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM FISCAL YEAR 2017 – 2021 REVISING PROJECT STREETS AND ALLOCATION OF CARRY OVER FUNDS. (0680-80)**

Mayor ProTem Spriggs declared the public hearing open.

Public Works Director Levien reported on the item.

In response to Councilmember Patton's question, Public Works Director Levien stated easements are not included, however, the City has applied for a Proposition 1 grant which will help with improvements to the Donax and Thorn drainage easements.

Councilmember Bragg commended Public Works Director Levien for his efforts stating that in order to do these projects the City has to apply for various grants and there is a lot of coordination of future thinking involved.

Without dissension of City Council, Mayor ProTem Spriggs closed the public hearing.

**MOTION BY BILBRAY, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2016-7743 AUTHORIZING CITY STAFF TO SUBMIT ATTACHMENT 2 TO SANDAG DESIGNATING THE STREET SEGMENTS IN ATTACHMENT 2 AS PROJECTS ELIGIBLE FOR STREET RESURFACING AND ADA/PEDESTRIAN/BICYCLE IMPROVEMENTS BETWEEN FISCAL YEARS 2017 THROUGH 2021 USING THE REVENUES FROM THE TRANSNET LOCAL STREET AND ROADS FUND. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: BILBRAY, PATTON, BRAGG, SPRIGGS**  
**NOES: COUNCILMEMBERS: NONE**  
**ABSENT: COUNCILMEMBERS: DEDINA**

**REPORTS (5.1-5.3)**

**5.1 INITIAL FINDINGS REPORT FROM THE AD HOC COUNCIL COMMITTEE FOR COMMERCIAL ZONING REVIEW. (0610-90)**

City Manager Hall clarified the need for the last minute information was to correct the word "implement" to "initiate" as it should have been since revising the Zoning Ordinance requires a process.

Assistant City Manager Dush gave a PowerPoint presentation and reported on the item. He stated the four main topics of the report were regarding: Exclusive residential development in a Mixed-use Zone, the location of commercial, height density and intensity, and zoning interpretations.

Mayor ProTem Spriggs thanked the staff for their support as well the citizens involved in this effort to address the zoning concerns. An earlier version of the report was presented quite a few months ago and there were issues with asking City Council to use "emergency powers". Now, there is a process that includes numerous opportunities for public input.

Mayda Winter did not wish to speak but asked her comment to be read to City Council.

It stated "Support staff recommendation as amended in the Last Minute Agenda Item No. 2", and that Ted Winter did not speak but submitted a Request to Speak card in support of the recommendation.

Diane Rose expressed gratitude to City Council and City staff and spoke in support of the recommendation and the process stated in the staff report.

Sandra Brillhart spoke in support of the item and also commended staff and City Council for their efforts. She submitted a petition with signatures in support of the item.

Rugth Cole expressed gratitude to City Council and staff and spoke in support of the item.

Michael Carey asked his statement to be read to City Council "I am thankful to the Council for creating the Ad Hoc committee and support it's recommendations."

Councilmember Patton thanked Assistant City Manager Dush and the residents involved in the process. He stated the language in the Zoning Code caused unintended consequences, there was a sense of urgency to get it done before future projects came through and emphasized the need to keep Imperial Beach as "Classic Southern California".

**MOTION BY PATTON , SECOND BY BILBRAY, TO DIRECT STAFF TO INITIATE PHASE 1 AS OUTLINED IN THE STAFF REPORT IN ACCORDANCE WITH THE "POSSIBLE REMEDY PROCESS" OUTLINED ON PAGE 10 OF THE AD HOC COMMITTEE'S INITIAL ISSUES REPORT.**

Councilmember Bragg stated the Ad Hoc Committee did exactly what they needed to and suggested, for the sake of transparency, that the City let the public know who the committee members were and also because they have put so much time and effort into this issue. She also suggested a segment of the Council retreat be dedicated to zoning and the implications of zoning. She is in support of the recommendation.

Mayor ProTem Spriggs stated that he and Councilmember Bilbray attended the zoning workshops in 2010 where there was a lot to address, and those issues are being addressed with this recommendation.

**A VOTE WAS NOW CAST ON THE ABOVE STATED MOTION. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: BILBRAY, PATTON, BRAGG, SPRIGGS**  
**NOES: COUNCILMEMBERS: NONE**  
**ABSENT: COUNCILMEMBERS: DEDINA**

**5.3 RESOLUTION NO. 2016-7745 AWARDING A PROFESSIONAL SERVICES AGREEMENT TO MICHAEL BAKER INTERNATIONAL, FOR A SEWER SYSTEM MASTER PLAN STUDY. (0830-70)**

Councilmember Patton left the chambers at 7:53 p.m. and returned at 7:55 p.m.

Public Works Director Levien reported on the item stating the previous report identified sewer lines that were over capacity, the next phase is to identify costs and improvements that need to be made, and because of new development, there is a need for an updated comprehensive Master Plan. Michael Baker is the same person who did the original Master Plan.

In response to Councilmember Bragg's question, Public Works Director Levien stated future developments have been taken into consideration, the length of time would be 3 to 6 months including the report, recommendations and estimated cost, and the Sea Level Rise study will be considered in this report.

Councilmember Bragg suggested the study focus a little more in depth on the impact of sea level rise with the sewer system.

In response to Mayor ProTem Spriggs' question, City Manager Hall stated sewer service to the Navy has been included in the planning, but regardless of the City providing service to the Navy or not, the City still needs to have this study go forward.

**MOTION BY BILBRAY, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2016-7745 AWARDED A PROFESSIONAL SERVICES AGREEMENT TO MICHAEL BAKER INTERNATIONAL, FOR A SEWER SYSTEM MASTER PLAN AND AUTHORIZING THE CITY MANAGER TO APPROVE A REQUISITION IN THE AMOUNT OF \$93,175.00 TO MICHAEL BAKER INTERNATIONAL. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: BILBRAY, PATTON, BRAGG, SPRIGGS**  
**NOES: COUNCILMEMBERS: NONE**  
**ABSENT: COUNCILMEMBERS: DEDINA**

**I.B. REDEVELOPMENT AGENCY SUCCESSOR AGENCY REPORTS (6)**

None.

**ITEMS PULLED FROM THE CONSENT CALENDAR**

**2.7 ADOPT RESOLUTION NO. 2016-7742 AUTHORIZING THE CITY MANAGER TO EXECUTE A FIVE YEAR PROFESSIONAL SERVICES AGREEMENT WITH KEENAN & ASSOCIATES FOR EMPLOYEE BENEFITS BROKER OF RECORD. (0520-60)**

Mayor ProTem Spriggs stated his principal reason for pulling Item No. 2.7 from the Consent Calendar was that the City has an Ordinance that requires a contract be competed after 5 years and staff has proposed a 5 year no compete award to Keenan and Associates. He would like to discuss having the contract be competitively bid or having a shorter time period for a no compete extension.

City Manager Hall commented the Municipal Code states the contract would be re-bid after 5 years, however, it provides a mechanism for Council to extend that which is what is before City Council for consideration.

Human Resources Manager Cortez reported on the item. She stated the reasoning behind extending the 5 years is that Keenan and Associates has been excellent in assisting with the Affordable Care Act and keeping the City in compliance and they represent the dental division, short term disability, long term disability and group life insurance so they act on behalf of the City when it comes to negotiations. They also participate in the Health Insurance Committee and are commission based so there is no extra cost to our general fund. She reiterated Council has the ability to waive the bidding process.

City Manager Hall stated the City wants to keep continuity while working on the Affordable Care Act. The MOU with the Fire Department has just been completed and the City will begin negotiations with SEIU in January. The continuity would ensure the City remains in compliance.

Mayor ProTem Spriggs stated he believes in competitive contracts which is consistent with good public policy and the City's ordinances. He understands the reasoning for continuing with the same firm, however, he inquired if 2 years would be enough to get through the current negotiations.

Human Resources Manager Cortez stated yes and added that the City never had a broker but had been working with SANDPIPA. The previous City Manager had a consultant do an audit and it was found SANDPIPA was never looking out for the City. There were better benefits out there at a lower cost. When requests for proposals came in, Keenan & Associates was the most

affordable.

In response to Councilmember Patton, Human Resources Manager Cortez stated if the City chose someone other than Calpers the medical and dental providers could also change.

City Manager Hall clarified that if we had a different broker we could still access our current health benefits as the broker works independently between the insurance companies and the City.

Councilmember Patton stated he supported whatever was best for the City.

Mayor ProTem Spriggs moved to adopt the recommendation with a 2 year rather than a five year contract period.

**MOTION BY SPRIGGS, SECOND BY BILBRAY, TO ADOPT RESOLUTION NO. 2016-7742 AUTHORIZING THE CITY MANAGER TO EXECUTE A TWO YEAR PROFESSIONAL SERVICES AGREEMENT WITH KEENAN & ASSOCIATES FOR EMPLOYEE BENEFITS BROKER OF RECORD. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: BILBRAY, PATTON, SPRIGGS**  
**NOES: COUNCILMEMBERS: BRAGG**  
**ABSENT: COUNCILMEMBERS: DEDINA**

**ADJOURN REGULAR MEETING**

Mayor ProTem Spriggs adjourned the Regular meeting at 8:13 p.m.

\_\_\_\_\_  
/s/  
Sunem Carballo,  
Deputy City Clerk

\_\_\_\_\_  
/s/  
Edward J. Spriggs,  
Mayor ProTempore